

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF OKLAHOMA

3  
4       1.   MATTHEW DON WATERDOWN, and  
5       2.   SHERRY WATERDOWN, Individually and as  
6       3.   Next Friends of M.C. WATERDOWN, a minor,  
7  
8                   Plaintiffs,

9       vs.                               Case No. 4:20-cv-00285-GKF-JFJ

10       1.   DAGOBERTO CHAVEZ,  
11       2.   ERICK CHAVEZ,  
12       3.   MVT SERVICES, d/b/a MESILLA VALLEY  
13       TRANSPORTATION,  
14       4.   MESILLA VALLEY TRANSPORTATION, INC.  
15       5.   J.H. ROSE LOGISTICS, LLC,  
16       6.   RJ LEASING, LLC d/b/a IDEALEASE OF  
17       EL PASO,  
18       7.   VERDE LOGISTICS, LLC,  
19       8.   JOHN DOE TRANSPORT COMPANY,  
20       9.   JOHN DOE HIRING AGENT,  
21       10.  RANDY ROBBINS, and  
22       11.  FARMERS INSURANCE COMPANY,

23                   Defendants.

24                   DEPOSITION OF MATTHEW DON WATERDOWN  
25                   TAKEN ON BEHALF OF THE DEFENDANTS  
ON DECEMBER 3, 2021, BEGINNING AT 11:39 A.M.  
IN TULSA, OKLAHOMA

APPEARANCES:

On behalf of the PLAINTIFFS

Mitchell Garrett  
GARRETT LAW OFFICE  
320 South Boston, Suite 825  
Tulsa, Oklahoma 74103  
(918) 221-6190  
mitchell@garrett.legal

REPORTED BY:   Janna Pirtle, CSR, RPR

1 APPEARANCES (Continued)

2 On behalf of the DEFENDANTS

3 Jennifer S. Ary-Brown  
FRANDEN, FARRIS, QUILLIN, GOODNIGHT & ROBERTS  
4 Two West Second Street, Suite 900  
Tulsa, Oklahoma 74103  
5 (918) 583-7129  
jary@tulsalawyer.com  
6

7 ALSO PRESENT: Sherry Gwen Waterdown

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1 over here. (Indicating)

2 Q This is where the truck driver --

3 A Yes.

4 Q -- is turning from? Okay. So the very  
5 far right shoulder is where the truck driver's  
6 coming from?

7 A So when he was coming -- when I was  
8 coming down this way, I was in the slow lane --

9 Q Okay.

10 A -- and got over into this lane.

11 (Indicating)

12 Q So you were in the right lane and --

13 A I was way back here, so I get over here,  
14 and then that's when -- when I got over here,  
15 because I start to see him pull out, and I  
16 figured that if I get over here, I might be able  
17 to avoid him.

18 Q Okay.

19 A I didn't know he was going to keep  
20 coming out.

21 Q So about from -- let's look at this  
22 picture and just use these cars. There's a  
23 white car, a black car, and looks like a white  
24 pickup truck. Where do you move lanes over to  
25 try to miss him?